

PAULA T. DOW  
Attorney General of New Jersey  
R. J. Hughes Justice Complex  
P.O. Box 112  
Trenton, New Jersey 08625-0112  
Attorney for the Governor of the State of New Jersey, the Attorney  
General of the State of New Jersey, and the Superintendent of  
the New Jersey Division of State Police, Defendants

By: Gregory A. Spellmeyer  
Deputy Attorney General  
(609) 984-9504  
Gregory.Spellmeyer@dol.lps.state.nj.us

---

ASSOCIATION OF NEW JERSEY RIFLE AND : UNITED STATES DISTRICT  
PISTOL CLUBS, INC., a New Jersey Not : COURT FOR THE DISTRICT  
for Profit Corporation; SCOTT L. BACH; : OF NEW JERSEY  
KAARE A. JOHNSON; VINCENT FURIO; :  
STEVEN YAGIELLO and BOB'S LITTLE SPORT : VICINAGE OF TRENTON  
SHOP, INC., a New Jersey Corporation, :  
:

Plaintiffs, : Honorable Joel A.  
: Pisano, U.S.D.J.

v. :

CHRISTOPHER J. CHRISTIE, Governor of :  
the State of New Jersey; PAULA T. DOW, : CIVIL ACTION No. 10-cv-  
Attorney General of the State of New : 271-JAP-TJB  
Jersey; COLONEL RICK FUENTES, :  
Superintendent, Division of New Jersey : DEFENDANTS' RESPONSE TO  
State Police; WASHINGTON TOWNSHIP : PLAINTIFFS' STATEMENT OF  
(Morris County); CITY OF HACKENSACK; : UNDISPUTED MATERIAL FACTS  
LITTLE EGG HARBOR TOWNSHIP and XYZ :  
MUNICIPALITIES 1-563; :

Defendants.

---

Defendants the Governor of the State of New Jersey, the  
Attorney General of the State of New Jersey, and the Superintendent  
of the New Jersey Division of State Police, by and through their  
attorney, Paula T. Dow, Attorney General of New Jersey, Gregory A.  
Spellmeyer, Deputy Attorney General, appearing, submit the

following response to plaintiffs' statement of material facts pursuant to L.Civ.R. 56.1(a).

1. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, to the extent that New Jersey's general handgun permitting schemes may be material, New Jersey law and regulations speak for themselves.
2. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, to the extent that New Jersey's general handgun permitting process may be material, New Jersey law and regulations speak for themselves. Defendants also assert that the remainder of the paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
3. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, to the extent that New Jersey's general handgun permitting process may be material, New Jersey law and regulations speak for themselves.

Defendants also assert that the remainder of the paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time.

See Declaration of Gregory A. Spellmeyer, ¶9.

4. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, to the extent that New Jersey's general handgun permitting process may be material, New Jersey law and regulations speak for themselves.
5. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, to the extent that New Jersey's general handgun permitting process may be material, New Jersey law and regulations speak for themselves.
6. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact.
7. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants object to the characterization of the Executive Order 145 which speaks for itself.

8. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5.
9. New Jersey law and regulations speak for themselves.
10. This paragraph's reference to the Superintendent's designee on the Task Force is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5. Without waiving this objection, New Jersey law and regulations speak for themselves.
11. New Jersey law and regulations speak for themselves.
12. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
13. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
14. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

15. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
16. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
17. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
18. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact.
19. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

20. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9. Without waiving these objections, New Jersey law and regulations speak for themselves.
21. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
22. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Without waiving this objection, New Jersey law and regulations speak for themselves.
23. Defendants object to this paragraph to the extent that it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See

Declaration of Gregory A. Spellmeyer, ¶9. Defendants object to this paragraph to the extent that it seeks to incorporate by reference purported facts rather than include them in the Statement of Material Facts in accordance with L. Civ. R. 56.1(a).

24. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
25. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
26. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

27. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9. Without waiving these objections, New Jersey law and regulations speak for themselves.
28. Defendants dispute that Exhibit A to the Supplemental Bach Certification is the most recently promulgated S.P. form 015, Application for Multiple Handgun Purchase Exemption. Also, New Jersey law and regulations speak for themselves.
29. New Jersey law and regulations speak for themselves.
30. New Jersey law and regulations speak for themselves.
31. New Jersey law and regulations speak for themselves. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
32. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See

Declaration of Gregory A. Spellmeyer, ¶9. Without waiving these objections, New Jersey law and regulations speak for themselves.

33. Defendants object to this paragraph because it presents a hypothetical scenario and legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
34. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
35. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9. Without waiving these objections, New Jersey law and regulations speak for themselves.
36. Defendants assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition

are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

37. Defendants object to this paragraph because it presents a legal argument rather than a purported statement of fact. Without waiving this objection, New Jersey law and regulations speak for themselves.
38. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9. Without waiving this objection, to the extent that New Jersey's general handgun permitting process may be material, New Jersey law and regulations speak for themselves.
39. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

40. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5.
41. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5.
42. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5.
43. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5.
44. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4, 5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

45. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

46. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

47. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

48. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
49. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5.
50. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.
51. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert

that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

52. This paragraph is not material to plaintiffs' due process challenge and so should not be considered in resolving plaintiffs' motion. See Declaration of Gregory A. Spellmeyer, ¶¶4,5. Without waiving this objection, defendants also assert that this paragraph is genuinely disputed on the ground that facts essential to justify their opposition are unavailable to them at this time. See Declaration of Gregory A. Spellmeyer, ¶9.

PAULA T. DOW  
ATTORNEY GENERAL OF NEW JERSEY

Dated: April 5, 2011

BY: /s/ Gregory A. Spellmeyer  
Gregory A. Spellmeyer  
Deputy Attorney General